

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

against

Civil Action No.:

05-CV-3212 (ILG)(VVP)

INTERNATIONAL LONGSHOREMEN'S
ASSOCIATION, AFL-CIO, et. al.

**INITIAL CONFERENCE QUESTIONNAIRE OF DEFENDANT
HAROLD J. DAGGETT**

1. If not yet made, date for completion of automatic disclosures required by Rule 26(a) of the Fed. R. Civ. P.:

Defendant has served initial disclosures.

2. Additional interrogatories beyond the 25 permitted under the Rule 26:

Defendant requires 25 additional interrogatories at this time and reserves the right to request more.

3. Maximum number of requests for admission:

Defendant requests 25 requests for admission at this time and reserves the right to request more.

4. Number of depositions by Defendant MILA and its Board of Trustees:

Defendant, presently anticipates a total of six depositions of non-party fact witnesses—and non-party witnesses.

5. Maximum length of each party and non-party deposition:

7 hours per day but in view of the number of defendants the one-day limitation of Fed. R. Civ. P. 30(d)(2) should be waived.

6. Date for completion of discovery:

July 31, 2007 or one year after either the date of entry of the court's order determining defendant's motion to dismiss or the date of joinder of issue, whichever is later.

7. Number of expert witnesses:

Defendant does not presently anticipate calling expert witnesses but reserves the right to do so at a later time.

8. Date for expert reports:

Scheduling should be deferred until the close of fact discovery.

9. Time for amendment of the pleadings by Plaintiff.

3/1/06

10. Number of proposed additional parties to be joined:

Defendant does not anticipate joining additional parties.

11. Types of contemplated dispositive motions:

Defendant intends to file a motion to dismiss.

12. Dates for filing contemplated dispositive motions:

Motion to Dismiss- April 25, 2006

Motion for Summary Judgment—60 days after completion of discovery.

13. Stay of Discovery:

Defendant urges that pending the disposition of defendant's motion to dismiss, discovery be stayed with the exception of document production and the non-party deposition of George Barone, which may be conducted in May 2006 provided plaintiff establishes the need for a *de bene esse* deposition by an adequate

showing of need based on the witness's state of health and provided plaintiff produces by March 1, 2006, all documents in the possession, custody or control of George Barone and the plaintiff concerning the state of George Barone's health or the subject matter of this action.

Dated: February 21, 2006

/s/George T. Daggett

George T. Daggett, Esq.

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